

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

THOMAS WILLIAM MORGAN,                     )  
   )  
                  Plaintiff,                     )  
   )  
v.   )  
   )  
MARION COUNTY GOVERNMENT,             )  
LINDA MASON, RONNIE “BO”             )  
BURNETT, and DALE WINTERS,             )  
   )  
                  Defendants.                    )

Case No: 1:24-cv-303

**JURY DEMAND**

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**FIRST JOINT MOTION TO MODIFY SCHEDULING ORDER**

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Now come the parties, by and through counsel, and file with the Court their First Joint Motion to Extend and Modify the Scheduling Order as follows:

1. On November 1, 2024, the Court issued a Scheduling Order [Doc. 14] that contains various deadlines relating to this case.
2. Since the entry of the Scheduling Order, the parties have engaged in case investigation and discovery to include the exchange of written discovery requests including Interrogatories and Request for Production of Documents. In that respect, Defendants were each served with written discovery requests.
3. The parties have been cooperating and working together with discovery to include scheduling of depositions and continue to do so. Despite their diligent efforts, counsel have limited dates available over the next two and half (2 ½) to three (3) months to the extent that they are not able to timely complete discovery consistent with the terms of the Court’s Scheduling Order. Counsel have exchanged and discussed multiple dates, but due to other previously scheduled

matters, many of which relate to other pending federal litigation, they are simply unable to complete discovery consistent with the Court's Scheduling Order.

4. Counsel have conferred and they agree, subject to the Court's consent and approval, that an extension of the deadlines within the Court's Scheduling Order by ninety (90) days would be appropriate and would provide counsel with the needed additional time to complete discovery in a case involving allegations pertaining to Constitutional deprivations, *Monell* allegations, individual liability, and damages. Discovery and investigation into the same are time consuming and difficult as it relates to the allegations made in this matter.

5. The parties therefore respectfully move the Court for the entry of an Order modifying the previously entered Scheduling Order and extending the deadlines within the same by ninety (90) days. This is the first motion to modify the Scheduling Order filed by the parties.

**WHEREFORE**, the parties respectfully pray for the relief set forth above.

Respectfully submitted,

**SPICER RUDSTROM, PLLC**

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